
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

DWAYNE KARL PIPKINS,

Plaintiff,

versus

GARRETT FLOYD,

Defendant.

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CIVIL ACTION NO. 1:05-CV-59

**MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Dewayne Karl Pipkins, an inmate confined at the Federal Correctional Institution at Fort Worth, Texas, proceeding *pro se*, filed the above-styled civil rights lawsuit against Garrett Floyd. The court previously referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

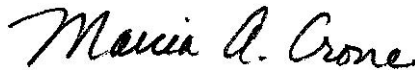
The defendant filed a motion for summary judgment. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the motion be granted.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. No objections were filed to the magistrate judge's Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. The defendant's motion for summary judgment is **GRANTED**. A final judgment will be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 17th day of August, 2007.

A handwritten signature in black ink, reading "Marcia A. Crone", is positioned above a horizontal line.

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE